

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

**PAUL BORDE and  
FOREST BOSTICK,**

Plaintiffs,

v.

**No. CIV 09-1185 WDS/GBW**

**BOARD OF COUNTY COMMISSIONERS  
OF LUNA COUNTY, NEW MEXICO, and  
JOHN SUTHERLAND, R. JAVIER DIAZ  
and FRED WILLIAMS, in their individual  
capacities,**

Defendants.

**JUDGMENT**

Pursuant to the Order granting Defendants' Motion to Dismiss Plaintiff's Complaint and denying Plaintiffs' Motion to Amend Complaint, which accompanies this judgment, judgment is entered dismissing Counts One, Two and Three of Plaintiffs' Complaint with prejudice and judgment is entered dismissing Count Five of Plaintiffs' Complaint without prejudice.

  
**W. DANIEL SCHNEIDER**  
**UNITED STATES MAGISTRATE JUDGE**